

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Thomas Levon Mitchell, #288367,)	
)	
Petitioner,)	C.A. No. 4:06-2089-HMH-TER
)	
vs.)	OPINION & ORDER
)	
Michael Sheedy, Warden of)	
Turbeville Correctional Institution;)	
and Attorney General for South Carolina,)	
)	
Respondents.)	

This matter is before the court on Thomas Levon Mitchell’s (“Mitchell”) November 6, 2007, objections to United States Magistrate Judge Thomas E. Rogers’ August 17, 2007, Report and Recommendation. Mitchell previously filed objections on August 30, 2007. The court ruled on Magistrate Judge Rogers’ Report and Recommendation on September 25, 2007, and granted the Respondents’ motion for summary judgment. Summary judgment was entered on September 26, 2007. The court construes Mitchell’s November 6, 2007, objections as a motion for reconsideration pursuant to Rule 60(b) of the Federal Rules of Civil Procedure.

Rule 60(b) “invest[s] federal courts with the power in certain restricted circumstances to vacate judgments whenever such action is appropriate to accomplish justice.” Compton v. Alton Steamship Co., 608 F.2d 96, 101-02 (4th Cir. 1979) (internal quotation marks omitted). Rule 60(b) “does not authorize a motion merely for reconsideration of a legal issue.” United States v. Williams, 674 F.2d 310, 312 (4th Cir. 1982). “Where the motion is nothing more than a request that the district court change its mind . . . it is not authorized by Rule 60(b).” Id. at 313. Mitchell

has not presented a basis for the court to grant relief pursuant to Rule 60(b). See Fed. R. Civ. P. 60(b) (enumerating grounds for relief).

Therefore, it is

ORDERED that Mitchell's motion for reconsideration, document number 21, is denied.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
November 19, 2007

NOTICE OF RIGHT TO APPEAL

The movant is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.